IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
NOTICE OF MOTION NO.3174 OF 2004
IN
APPEAL NO.666 OF 2004
IN
SUMMONS FOR JUDGMENT NO.595 OF 2001
IN
SUMMARY SUIT NO.223 OF 2001

Vijay Baburao Malankar .. Appellant

v/s.

Indian Oil Company Limited .. Respondent

Mr.H.J.Thakkar, senior counsel with Mr.H.V.Chande for appellant.

Mr.D.D.Madon i/by Mr.Sarkar & Sarkar for respondent.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 27th October, 2004

P.C.

Heard Mr.H.J.Thakkar, the learned senior counsel for the appellant and Mr.D.D.Madon, the learned counsel for the respondent.

2. Subject to the appellant depositing a sum of Rs.64,02,308/- within six weeks from today, the execution of the impugned judgment and decree shall remain stayed.

3. Upon such deposit being made, the respondent shall be at liberty to withdraw the said amount on furnishing security/surety to the satisfaction of the Prothonotary & Senior Master of this court.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)